

IN THE UNITED STATES DISTRICT COURT

FILED '07 JUN 08 15:26 USDC-ORF

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA

Case Number CR 06-445-BR

v.

STIPULATED JUDGMENT ORDER
AND FINDINGS OF FACT

JOSEPH KELLY BANKS,

Defendant.

This matter having come on to be heard before the Honorable Anna J. Brown, United States District Judge, and the court having considered the matter fully, NOW FINDS:

1. The defendant, JOSEPH KELLY BANKS, was charged by grand jury indictment with felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

2. The government and defendant have entered into a stipulation that: (1) on or about September 24, 2006, in the District of Oregon, JOSEPH KELLY BANKS, a convicted felon, did possess a firearm which had traveled in interstate commerce.

3. The parties have stipulated to admission of, and this Court has received, a psychological report prepared by Dr. Cynthia Low, which sets forth her findings and conclusions with respect to the mental state and condition of defendant JOSEPH KELLY BANKS at the time of the offense conduct in this case.

It is the conclusion of Dr. Low that defendant, JOSEPH KELLY BANKS, was unable, at the time of the commission of the crime involved in the instant case and as the result of a mental

disorder, to appreciate the nature, quality or wrongfulness of his acts.

4. Based upon the above stipulations of the parties, this court finds defendant, JOSEPH KELLY BANKS, not guilty only by reason of insanity of the crime charged in indictment CR 06-445-BR (felon in possession of a firearm).

NOW, THEREFORE, IT IS ORDERED, pursuant to Title 18, United States Code, Section 4243, that defendant, JOSEPH KELLY BANKS, be committed to the custody of the Attorney General for hospitalization in a suitable facility to determine whether he is suffering from a mental disease or defect as a result of which his release would create a substantial risk of bodily injury to another person or serious damage to the property of another.

The court recommends that defendant's hospitalization be at an appropriate Federal Medical Center.

IT IS FURTHER ORDERED that the institutional staff submit a report to this court *and not later than July 22, 2007,* within forty days ~~of~~ concerning defendant's mental condition, pursuant to Title 18, United States Code, Sections 4243(b) and 4247(b) and (c), and that the defendant be returned to this court for

///

///

///

///

///

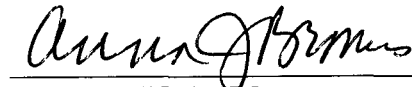
///

///

///

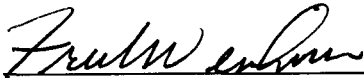
hearing pursuant to Title 18, United States Code, Section 4243(c).

DATED this 8th day of June, 2007.

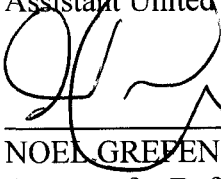


ANNA J. BROWN
United States District Judge

IT IS SO STIPULATED:



FREDRIC N. WEINHOUSE, OSB #77386
Assistant United States Attorney



NOEL GREENSON
Attorney for Defendant



JOSEPH KELLY BANKS
Defendant